

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC., §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 2:22-CV-00293-JRG
§ (Lead Case)
SAMSUNG ELECTRONICS CO, LTD, *et* §
al. §
§
Defendants. §

NETLIST, INC., §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 2:22-CV-00294-JRG
§
MICRON TECHNOLOGY, INC., *et al.* §
§
Defendants. §

ORDER

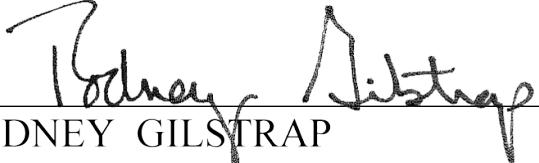
The Court issues this Order *sua sponte*. Hon. David Folsom filed a First Report and Recommendation of Special Master on January 18, 2024 (Dkt. No. 377.) However, in the First Report and Recommendation, the Special Master did not recommend a disposition of Micron's Motion to Strike Plaintiff's November 19, 2023 Supplemental Response to Interrogatory No. 4 (Dkt. No. 271), as that motion was not yet fully briefed. Additionally, after the Special Master filed the First R&R, two additional disputes arose within the Special Master's authority to perform "ancillary acts required to fully carry out" the duties specifically assigned by the Court. (*See* Dkt. No. 269 at 2). One such dispute relates to Netlist's request to amend or correct a portion of the January 5 Hearing Transcript (Dkt. No. 380), which the Special Master directed Netlist to file as a

motion (Dkt. No. 371). The other dispute relates to Netlist's Motion to Strike Micron's Supplemental Response to Interrogatory No. 12 (Dkt. No. 462), which the Special Master also directed to be filed as a motion (Dkt. No. 455). After considering the parties' arguments concerning these disputes, the Special Master filed a Second Report and Recommendation concerning Dkt. Nos. 271, 380, and 462. (Dkt. No. 636).

Pursuant to Federal Rule Civil Procedure 53(f)(1), the Court intends to adopt the Special Master's Second Report and Recommendation (Dkt. No. 636). The Court previously set a hearing for Monday, February 26, 2024, at 9:00 a.m. CST to hear arguments concerning the objections to the First Report and Recommendations. (*See* Dkt. No. 537.) The Court finds that an expedited objection period is warranted. Accordingly, pursuant to Federal Rule of Civil Procedure 53(f)(2), the Court hereby **ORDERS** that the parties' objections to the Special Master's Second Report and Recommendation (Dkt. No. 636), if any, shall be filed no later than **5:00 p.m. CST on Friday, February 23, 2024**. The parties shall have an opportunity to be heard on any such objections at the February 26 hearing.

So Ordered this

Feb 22, 2024



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE